Attorney's Docket No. 049202/303874

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

Werner et al.

Confirmation No.: 1581

1638

Appl. No.: Filed:

10/559,430

Art Unit:

Fox. David T.

For:

Examiner: January 17, 2006

SAFE PRODUCTION OF A PRODUCT OF INTEREST IN HYBRID SEEDS

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT CITATION UNDER 37 C.F.R. § 1.97

Sir:

Attached is a list of documents on form PTO-1449 along with a copy of any cited foreign patent documents and non-patent literature documents in accordance with 37 CFR 1.98(a)(2).

It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By identifying the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead identifying the listed documents for the sake of full disclosure.

Applicant notes that each item of information listed on form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application. In addition, the communication from the foreign patent office was not received by any individual designated by 37 CFR 1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

/david m. saravitz/

David M. Saravitz Registration No. 44,593

Customer No. 00826 **ALSTON & BIRD LLP** Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260